

IN THE DRAWINGS

The attached replacement drawing sheet includes Fig. 9 and replaces the same. Fig. 9 has been amended to include reference numbers that identify the features described in paragraph [0055] of the specification.

REMARKS/ARGUMENTS

After the foregoing amendment, claims 1-13 are currently pending in this application. Claims 1, 3 and 6 have been amended. In the drawings, Fig. 9 has been amended to include reference numbers supporting the description in paragraph [0055] of the specification as published. Applicants respectfully submit that no new matter has been introduced into the application by these amendments.

Objections to the Specification

The Action objects to the amendments to the specification as filed in Applicants' August 14, 2008 Reply. Specifically, the Action states that the description of the on page 8, paragraph [0055], introduces new matter into the disclosure because the features recited therein were not identified in Fig. 9 as originally filed. In order to more clearly identify the subject matter of paragraph [0055], Fig. 9 has been amended to include appropriate reference numbers.

Objections to the Claims

The Action objected to claim 1 as a result of a typographical error. Claim 1 has been amended to correct this deficiency in accordance with the Examiner's suggestion.

Withdrawal of the objection to claim 1 is therefore respectfully requested.

Claim Rejections - 35 U.S.C. §112

Claims 9 and 10 were rejected under 36 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, the phrase "the force

supplying means" in claim 9 lacks proper antecedent basis. Claim 10 was likewise rejected for being dependent from indefinite claim 9. By way of this Reply, claim 3 has been amended to depend from claim 2 in accordance with the Examiner's suggestion, thus providing proper antecedent basis for the limitation "the force supplying means" as recited in claim 9.

Accordingly, withdrawal of the 35 U.S.C. §112 rejection of claims 9 and 10 is respectfully requested.

Claim Rejections - 35 U.S.C. §102

Claims 1-3, 5, 11 and 12 were rejected under 35 U.S.C. §102(b) as being anticipated by Hammerle (U.S. Publication 2001/0019235). Applicants respectfully traverse this rejection and submit that the claims are patentable over the art of record for at least the reasons set forth below.

Claim 1 recites in part:

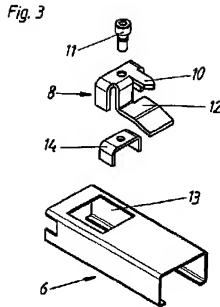
...drawer support means...said support means having a slot;
a runner system housed within said support means...said runner system including a pull-out guide having a recess;
a guide having an extension engageable within said slot, said guide being locked onto said support means when force is supplied;
wherein said extension is sized such that it is moveable laterally within said support means slot so as to allow variance between the width of said furniture body and said drawer to be accommodated; and said guide extension is secured within said recess through said slot such that the guide is aligned with the runner system, when locked thereto.

The drawer stabilizing arrangement described in claim 1 includes a drawer support means 60 and a runner system (a sliding rail system) housed therein. The runner system includes a pull-out guide 70 (drawer rail) having a recess. A guide 30 is provided and features an extension that is engageable with a slot provided on

the drawer support means. This extension and slot arrangement allows the guide to be locked onto the drawer support means when a force is applied thereto. As the pull-out guide 70 is housed within the drawer support means 60, in addition to being locked onto the drawer support means, the guide 30 is also locked to the pull-out guide 70 by its extension which is secured within the pull-out guide recess through the drawer support means slot. The guide extension is sized such that it is moveable laterally within the support means slot, thus accommodating any variance between the width of the furniture body and drawer.

The Action cites element 8 of Hammerle as equivalent to the drawer support means recited in claim 1. The hook 8, as described in paragraphs [0023]-[0025] and shown in Fig 3 of Hammerle (below), is provided with a holding lug 10 and a bearing tab 12. The lug 10 is received into opening 9 at the rear of the drawer frame. In a mounted position, the rear portion of the drawer frame lies on bearing tab 12. When assembled, hook 8 sits on top of pull out rail 6. *See* Figs. 2 and 4.

In contrast, the stabilizer arrangement of claim 1 comprises a runner system (sliding rail system) housed within the drawer support means. Moreover, the hook 8 of Hammerle does not provide support to the drawer during its sliding movements as claimed, but rather, is meant to anchor the drawer to the pull out rail 6. *See* paragraph [0025], lines 5-6. Thus, the hook 8 together with its top central opening cannot be considered equivalent to the drawer support means or drawer support means slot as defined by claim 1.



The Action further cites the stirrup-shaped element 14 of Hammerle as equivalent to the pull-out guide as claimed. When in the assembled state (Figs. 3 and 4 of Hammerle), the stirrup-shaped piece 14 is arranged between the pull-out rail 6 and the hook 8. A top central opening is provided on the stirrup-shaped piece 14 for receiving a screw. Like the hook 8, the stirrup-shaped piece 14 sits on top of pull out rail 6 in an assembled state. *See* Figs. 2 and 4. Thus, the stirrup-shaped piece 14 serves to connect with and elevate hook 8 from the pull-out rail 6, rather than forming a rail component of the sliding rail system as required by the pull-out guide recited in claim 1.

Further, claim 1 requires that the guide is adjustable laterally within the support means slot in order to accommodate variations between the width measurement of the furniture body and drawer. Hammerle does not teach or suggest such an arrangement.

The Action states that the screw 11 is equivalent to the guide as claimed. The screw 11 of Hammerle locks the hook 8 onto the pull-out rail 6 when inserted

through (or screwed into) the top central openings of the hook 8 and the stirrup-shaped piece 14. The inclination of the drawer (and its front panel) is adjustable by turning screw 11. As clearly seen in Fig. 4 of Hammerle, the top central opening of the hook 8 is provided with shoulders that interact with the threaded shaft of screw 11 to retain the screw in place after insertion. Additionally, the top central opening of the stirrup-shaped piece 14 is threaded.

Accordingly, contrary to the Examiner's statement on page 4, lines 10 to 15, if the arrangement of Hammerle were mounted at a 90° angle, the shaft of screw 11 (both the threaded or unthreaded portions), would not be laterally moveable within the openings of the hook 8 and stirrup-shaped piece 14 as required by claim 1. This is further supported by paragraph [0024] of Hammerle which describes the "form-fitting" connection provided by the screw 11 with respect to the hook 8 and the stirrup-shaped piece 14. Thus, unlike the guide and guide extension defined by claim 1, the screw 11 of Hammerle is unable to aid in accommodation of any variance between the width of the drawer and the furniture carcass.

Because Hammerle fails to teach or suggest an equivalent support means, a pull out guide, nor a guide as defined by claim 1, this claim should be allowable. Claims 2-3, 5, 11 and 12 depend directly or indirectly from claim 1 and should be similarly patentable.

Claims 1, 2, 5 and 11-13 were rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 4,810,045 (Lautenschlager). Applicants respectfully traverse this rejection.

The Action cites the drawer side wall 14 of Lautenschlager as equivalent to the drawer support means of claim 1. As noted above, the drawer support means defined in claim 1 supports the drawer during its sliding movements in and out of the furniture carcass. As the drawer side wall 14 of Lautenschlager is a part of the

drawer itself, it cannot be construed as equivalent to the drawer support means as claimed.

The Action further identifies the fitting 10 of Lautenschlager as equivalent to the pull-out guide as claimed. The fitting 10 is an L-shaped connector provided for mounting and holding a front longitudinal end of a drawer runner slide 24 (pull-out rail) to the drawer bottom 16 and the drawer front 12, and is arranged underneath the drawer bottom 16. *See* col. 3, lines 12-15 and Figs. 1 and 4 of Lautenschlager. Thus, the fitting 10 cannot be considered equivalent to the pull-out guide which is defined by claim 1 as a component of the runner system that is housed within the drawer support means.

Further, the Action cites the screw 62 as an equivalent to the guide recited in claim 1. On one side of the corner body 26 of the fitting 10, a runner holding clip 28 projects in a direction parallel to the drawer side wall 14 and has two resilient legs 30, 32 which grip the runner slide 24 between them. *See* col. 3, lines 20 to 29. A perpendicular groove-like recess 58 is provided on the leg 30 adjacent drawer side wall 14. A threaded bore 60 (countersink 64) is provided on drawer side wall 14. The adjusting screw 62 may be driven through bore 60 (countersink 64) of the drawer side wall 14 until its free end rests within groove-like recess 58 of clip leg 30. *See* col. 4, lines 21 to 51. Thus, the screw 62 (and its shaft) is only locked with the drawer side wall 14 and not with fitting 10, in contrast to the guide of claim 1, which is locked onto both the drawer support means and the pull-out guide when force is supplied.

Because Lautenschlager does not teach or suggest these features, claim 1 should be allowable. Claims 2, 5 and 11-13 depend directly or indirectly from claim 1 and should be similarly patentable.

With respect to the rejection of claim 2 (lines 16 to 18 of item 8 and lines 14 to

16 of item 9), based on both Hammerle and Lautenschlager, Applicants respectfully submit that a user's screw driver or allen wrench does not form any component of the stabilizing arrangements in either reference. Accordingly, not even the broadest reading of the Applicant's claim 2 would cover such an interpretation.

Finally, in addition to the above and the reasons stated in Applicants' August 14, 2008 Reply¹, Applicants respectfully point out that the stabilizer arrangement of claim 1 is configured for use with double walled drawers, whereas the devices of both the Hammerle and Lautenschlager references are for use with single walled drawers.

As is disclosed in the descriptions and drawings of both Hammerle and Lautenschlager (*see*, for example, paragraph [0003] of Hammerle and col. 3, lines 21-27 of Lautenschlager), each drawer side wall consists of a single walled drawer. Thus, the devices of these references were specifically designed for use with single walled drawers. Moreover, it is characteristic for single walled drawers to have a runner system which is located beneath the drawer, as seen in Fig. 2 of Hammerle and Figs. 1 and 2 of Lautenschlager.

As would be well understood by a person skilled in the art, modification of these assemblies for use with double walled drawers is neither possible nor feasible. Furthermore, there would be no motivation for a person skilled in the art, seeking to arrive at a stabilizing arrangement for a double walled drawer, to modify and/or combine the single-walled drawer teachings of Hammerle and/or Lautenschlager.

Accordingly, Applicants respectfully request the withdrawal of the 35 U.S.C. §102(b) rejection of claims 1-5, and 11-13.

¹ Claim 1 defines a drawer stabilizer arrangement that comprises drawer support means that are clearly a distinct and separate component from the drawer runner system and the drawer itself.

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including claims 1-13, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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